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British Transport Police Authority
Corporate Governance Code

Owner	Head of Governance and People
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Foreword

The British Transport Police Authority is the independent body responsible for ensuring an efficient and effective police force for the railways.

The Authority is an executive Non-Departmental Public Body (NDPB) sponsored by and accountable to the Department for Transport (DfT) and as such must comply with direction and guidance issued by HM Government. Its actions are guided by a Framework Document that has been issued to the Authority by the Secretary of State.

The purpose of this Code is to set out the Authority's approach to Corporate Governance within which the Authority will operate. It has been developed according to the principles of the HM Treasury and Cabinet Office 'Corporate Governance: Code of good practice 2017' which defines governance as:

"...the way in which organisations are directed, controlled and led. It defines relationships and the distribution of rights and responsibilities among those who work with and in the organisation, determines the rules and procedures through which the organisation's objectives are set, and provides the means of attaining those objectives and monitoring performance. Importantly, it defines where accountability lies throughout the organisation."

It is expected that the spirit, as well as the letter of the Code shall be followed. In the event of any departure from the Code the Authority adopts the comply or explain principle, meaning that the justification must be clearly and carefully explained in the governance statement accompanying the annual statement of accounts.

The Code is a living document and may be updated in-year, with proposed updates presented to the Authority for approval prior to inclusion. It shall be subject to a formal review at each annual meeting of the Authority.

Ron Barclay-Smith, BTPA Chair

Hugh Ind, BTPA Chief Executive and Accounting Officer

Lucy D'Orsi, Chief Constable and Additional Accounting Officer

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¹ A summary of changes made is provided prior to Annex 1.

Who we are and what we do

Establishment and powers

1. The British Transport Police Authority (“the Authority”) was established by the Railways and Transport Safety Act (2003) (“the 2003 Act”) and became operational on 1 July 2004. The Authority’s primary statutory purpose is to secure the maintenance of an efficient and effective police force for the railways in England, Scotland and Wales. This includes defraying and recovering the costs of the Police Force from the companies who provide and use the rail network.
2. The 2003 Act sets out the statutory powers and responsibilities of the Authority which are to:
 - a. Secure the maintenance of an efficient and effective police force known as the British Transport Police²
 - b. Ensure the efficient and effective policing of the railways³
 - c. Appoint the Chief Constable, Deputy Chief Constable, Assistant Chief Constables and the Chief Executive and Treasurer⁴
 - d. Enter into Police Service Agreements with railway operators⁵
 - e. Employ police constables, civilian employees and cadets⁶
 - f. Regulate the government, administration and conditions of service of those employed by the Authority in the service of the police force⁷
 - g. Set a strategy for policing the railway⁸
 - h. Set objectives for the policing of the railway⁹
 - i. Issue an annual Railways Policing Plan¹⁰
 - j. Set the budget of expected income and expenditure for policing the railways each year, defray the expenses and recover the cost¹¹
3. The Authority is a body corporate¹²
4. As the legal entity, the Authority has the legal capacity to enter agreements, assume obligations, incur and pay debts, sue and be sued in its own right and to be held responsible for its actions. All contracts of employment are therefore with the Authority. The Authority may delegate to the Chief Constable and Chief Executive the responsibility to enter agreements or contracts, assume obligations, incur and pay debts, and pursue legal action, on its behalf.
5. A Policing Protocol exists which sets out the ways in which relevant persons should exercise or refrain from exercising functions so as to encourage, maintain or improve working relationships or limit or prevent overlapping or conflicting exercise of functions. The

² Railways and Transport Safety Act 2003 (RTSA 2003) s19

³ RTSA 2003 s20

⁴ RTSA 2003 s21, 23 & 27 Schedule 4 Part 2 s11 (a&b)

⁵ RTSA 2003 s33(1)

⁶ RTSA 2003 s24, 26 & 27

⁷ RTSA 2003 s36

⁸ RTSA 2003 s55

⁹ RTSA 2003 s50

¹⁰ RTSA 2003 s52

¹¹ RTSA 2003 s33 (3&4)

¹² RTSA 2003 s18

Authority and Chief Constable are not relevant persons within the definition of the Policing Protocol but where appropriate relevant principles of the Protocol have been incorporated into this Code.

6. The Chief Constable is responsible for maintaining the King's Peace and has direction and control over the Force's staff.
7. The Chief Constable is accountable to the law for the exercise of police powers, and to the Authority for the delivery of efficient and effective policing, management of resources and expenditure by the Force.
8. The Chief Constable is responsible to the public and accountable to the Authority for:
 - a. leading the Force in a way that is consistent with the Code of Ethics and the attestation made by all constables on their appointment and ensuring that it acts with impartiality;
 - b. appointing the Force's officers and staff
 - c. having regard to the Policing Plan and Strategy in force at the time in performance of her/his functions;
 - d. assisting the Authority in planning the force's budget;
 - e. notifying and briefing the Authority of any matter or investigation on which the Authority may need to provide public assurance either alone or in company with the Chief Constable;
 - f. entering into collaboration agreements with other chief constables, policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of the Authority and any relevant policing body;
 - g. managing all complaints against the force, its officers and staff, except in relation to the Chief Constable, Deputy Chief Constable and Assistant Chief Constables, and ensuring that the Authority is kept informed in such a way as to enable the Authority to discharge its statutory obligation in relation to complaints in a regular, meaningful and timely fashion. Serious complaints and conduct matters must be passed to the Independent Office for Police Conduct (IOPC) or Police Investigations & Review Commissioner (PIRC) for Scotland in accordance with legislation;
 - h. exercising direction and control in such a way as to have access to all necessary information and staff within the Force; and
 - i. acting as additional accounting officer in accordance with the current additional accounting officer memorandum in place.
9. The direction and control of the Chief Constable includes:
 - a. the ability to issue a warrant to an attested officer with which that officer may exercise her/his police powers;
 - b. decisions in relation to the appointment and dismissal of officers and staff in accordance with paragraph 8(b).
 - c. decisions concerning the configuration of policing resources (or) the decision

- d. total discretion to investigate or require an investigation into crimes and individuals as he or she sees fit;
 - e. decisions taken with the purpose of balancing competing needs whilst having regard to priorities and objectives set by the Authority;
 - f. operational decisions to reallocate resource to meet immediate demand; and
 - g. the allocation of officers' specific duties and responsibilities within the Force area whilst having regard to the strategic objectives set by the Authority¹³.
10. This list is not exhaustive and is by way of illustration only.
11. The deputy and assistant chief constables and their police staff equivalents will be appointed through a joint panel and on agreement between the Authority and Chief Constable
12. The operational independence of the police is a fundamental principle of British Policing. It is expected that the professional discretion of the police service and oath of office give surety to the public that this shall not be compromised¹⁴.
13. The Chief Constable remains operationally independent and it is the will of Parliament and Government that the office of constable shall not be open to improper political interference¹⁵.
14. The Authority and Chief Constable must work together to safeguard the principle of operational independence, while ensuring that neither party is fettered in fulfilling their statutory role. The context of operational independence is not defined in statute, and as Her Majesty's Inspectorate of Constabulary (HMIC) has stated, by its nature, is fluid and context-driven. The relationship between the Authority and the Chief Constable is defined by the Authority's legal mandate to hold the Chief Constable to account both as part of her/his statutory duty to have regard to the Strategy and Policing Plan and as an employee; primary legislation and common law already provide the framework that underpins operational independence and the Office of Constable¹⁶
15. The Authority must not fetter the operational independence of the police force and Chief Constable who leads it¹⁷ however in order to enable the Authority to exercise the functions of their office effectively they will need access to information and officers and staff within their force. Such access to any information must not be unreasonably withheld or obstructed by the Chief Constable and/or fetter the Chief Constable's direction and control of the force¹⁸.
16. In order to respond to the strategic objectives set by the Authority and the wide variety of challenges faced by the police every day, the Chief Constable is charged with the direction and control of the Force and day-to-day management of the British Transport Police Fund (BTPF) assets and resources as defined in the scheme of delegation¹⁹.

¹³ Policing Protocol Order 2011 (PPO 2011) s33

¹⁴ PPO 2011 s30

¹⁵ PPO 2011 s12 (part)

¹⁶ PPO 2011 s36

¹⁷ PPO 2011 s18

¹⁸ PPO 2011 s19

¹⁹ PPO 2011 s37

17. The Chief Constable is required to ensure that the Authority is regularly informed of her/his decisions and operational activity in a timely manner so that the Authority can hold the Chief Constable to account for the totality of policing in the Force area, including the operational delivery of the police service. The direction and control of the Chief Constable does not just remain under the scrutiny of the Authority but is open to investigation by the IOPC within the parameters of their terms of reference²⁰.
18. Requiring accountability is a legitimate part of the relationship between the Authority and the Chief Constable where the overriding principle must be that all actions are taken in the wider public interest. The establishment and maintenance of effective working relationships between the Authority, Chief Constable and Chief Executive is fundamental. It is expected that the principles of professionalism, openness and trust will underpin the relationships between all parties and all parties will do their utmost to make the relationships work²¹.
19. The Authority may require the Chief Constable to submit a report on specified matters connected with the performance of her/his functions²².
20. The Authority is a publicly accountable body which together with the Chief Constable will need to establish effective working relationships in order to deliver policing of the railways. Where differences occur they will be resolved locally between the Authority and Chief Constable. Professional advice may be offered by HMICFRS.
21. It is perhaps most important of all to remember that the Authority and Chief Constable are working towards a common goal - to deliver efficient and effective policing to ensure a safe, secure and reliable transport system.

Membership

22. The Authority Members are appointed by the Secretary of State for Transport. Members are drawn from people who have experience of:
 - a. the rail industry;
 - b. railway staff;
 - c. the travelling public; and
 - d. others with designated experience
23. Members are not, however, intended to be representatives of those interests.
24. There are also Members with knowledge of the interests of persons in England, Scotland and Wales, in the case of the latter two appointed in consultation with Scottish Ministers and the Welsh Assembly respectively. In the Authority, Members work together and act as a single corporate body.

Chair

25. The Chair has particular responsibility to provide effective and strategic leadership to the Authority.

²⁰ PPO 2011 s34

²¹ PPO 2011 s8

²² RTSA 2003 s56(3)

26. The Chair, with the support of the Chief Executive, will ensure that all Authority Members, when taking up office, are fully briefed on the terms of their appointment, and their duties, rights and responsibilities.
27. The Chair will undertake an annual appraisal with each Authority Member in the final quarter of each financial year to coordinate with the board effectiveness evaluation. The focus of these appraisals will be board effectiveness, individual contribution over the past 12 months, training needs analysis and future focus. The Chair shall agree objectives for each member following these discussions. The appraisal shall also be used as a base for the Chair's report to the Secretary of State on the Member's reappointment.
28. The Chair should address the developmental needs of the Authority as a whole with a view to enhancing its effectiveness. Resources should be provided for developing and refreshing the knowledge and skills of Members.
29. The Chief Constable and the Chief Executive are to work closely with the Chair to ensure the role and responsibilities of the Authority are discharged.

Members of the Authority

30. Members each have a corporate and collective responsibility to ensure that the Authority properly discharges its functions. In doing so, each Member is required to attend all Police Authority meetings and the meetings of those Committees and Groups to which they have been allocated. In addition to attendance at formal Authority and Committee meetings, the Authority may agree that Members should take on additional roles to assist in furthering the Authority's objectives.
31. Members will receive a letter to confirm their committee memberships and portfolio allocations and this letter will be reissued as and when allocations change..
32. Members of the Authority are required to comply with the Cabinet Office's [Code of Conduct for Board Members of Public Bodies](#)) which is referenced in the BTPA Member Handbook. The Code requires that in undertaking their duties, Members demonstrate and act with probity and transparency.

Executive Roles

Chief Executive to the Authority

33. The Authority appoints a Chief Executive with responsibilities similar to those of the head of a local authority's paid service under section 4 of the Local Government and Housing Act 1989.
34. The Chief Executive is the principal advisor to the Authority and leads and directs the Authority staff ensuring the Authority achieves its objectives.

Chief Constable of British Transport Police

35. The Authority appoints a Chief Constable whose powers and duties are similar to any other Chief Constable. In addition, the Chief Constable is required to have regard to Codes of

Practice issued by the Secretary of State for Transport, the Home Secretary and the Authority.

Chief Financial Officer to the Authority

36. The Authority appoints a Chief Financial Officer who fulfils the role of Treasurer, with the responsibility for ensuring the proper management of the Authority's finances.
37. The Chief Financial Officer also provides independent financial advice to the Authority in all aspects of its activity, including strategic planning, policy making and budgetary matters.
38. The Chief Financial Officer also fulfils the role of Deputy Chief Executive assuming the powers of the Chief Executive in their absence. The arrangements for covering the role of Accounting Officer are detailed in the Accounting Officer memorandum at Annex 3.

Director of Finance and Commercial Services

39. The Director of Finance and Commercial Services (or, where that position is vacant, the Chief Constable's nominee) is to work closely with the Chief Financial Officer to ensure that the BTPF is properly administered and financial regulations are observed and kept up to date.
40. The Chief Executive and Chief Constable will jointly agree in writing when it is deemed appropriate for either the Chief Financial Officer or Director of Finance and Commercial Services to have executive financial delegation to agree matters under the scheme of financial delegation for a specific panel/board constituted under the direction and control of the Chief Constable or Chief Executive respectively.
41. For a detailed list of the specific responsibilities of the Chief Financial Officer and Director of Finance and Commercial Services see Annex 1 Financial Management.

The Accounting Officer

42. The Chief Executive has been appointed as the Accounting Officer for the BTPF by the Principal Accounting Officer of the DfT. The Chief Constable has been appointed as an Additional Accounting Officer by the Chief Executive with the agreement of the Principal Accounting Officer of the DfT. The responsibilities of both the Chief Executive and Chief Constable as Accounting Officers are in accordance with the principles set out in HM Treasury's Managing Public Money. The Accounting Officer Memorandums and Principles for Engagement can be found at Annex 3.

How we deliver

Accountability, Openness and Transparency

43. The Authority demonstrates its accountability and commitment to openness and transparency to:
 - a. Parliament through;
 - i. the Authority's annual report which is laid before Parliament

- ii. annual auditing of the Authority's accounts by the National Audit Office (NAO)
- iii. periodic reviews conducted by the Department for Transport.

- b. Stakeholders through;
 - i. opening our meetings to the public
 - ii. delivery of our statutory duties, including setting performance targets and strategy for the police force and assessing progress
 - iii. publishing our meeting papers, minutes and policy information, to provide key information about our activities, how we undertake them and the decisions we make
 - iv. consulting with our stakeholders both in writing and through workshop sessions.

44. The high-level Committee structure is set out in the next section. For a detailed description of how the Committees work refer to the Authority's Annual Business Cycle.

Police Authority

Purpose

- 45. To secure the maintenance of an efficient and effective police force for the railways.
- 46. The Authority will operate according to recognised precepts of good corporate governance in business:
 - a. Leadership – articulating a clear vision, Strategy and Plans, including setting risk appetite and managing risk.
 - b. Effectiveness – bringing a wide range of experience to bear, including through offering rigorous challenge and scrutinising performance
 - c. Accountability – promoting transparency through clear and fair reporting
 - d. Sustainability – taking a long-term view about what the Authority is trying to achieve and what it is doing to get there

Reporting

- 47. The Authority will publish all open papers and minutes on its website.

Responsibilities

- 48. The full Authority meets to perform its purpose of securing the maintenance of an efficient and effective police force for the railways through the following areas²³:
 - a. Strategic Clarity – setting the vision and mission with a focus on long-term capability with all activities directly or indirectly contributing towards the strategy.
 - b. Commercial sense – approving the distribution of responsibilities, setting the scheme of delegation, ensuring sound financial management, scrutinising the

²³ The six areas are described in the Corporate Governance in central government departments: Code of Good Practice 2017. The inclusion of an explicit cultural focus bullet point followed the Governance Review in 2016.

- allocation of financial and human resources to achieve the plan, setting the risk appetite and ensuring controls are in place.
- c. Cultural focus – setting the vision for the culture of the organisation and ensuring clear, consistent and comparable information is provided to measure this and address any cultural concerns arising
 - d. Talented People – ensuring the chief officer team has the capability to deliver and plan to meet current and future needs.
 - e. Results Focus – setting the Annual Railways Policing Plan and monitoring progress against this and the Strategy.
 - f. Management Information – ensuring clear, concise, consistent and timely comparable performance information is provided to the Authority and used to drive improvements.
 - g. Professional standards – ensuring that matters are dealt with according to statute and policy and challenging non-compliance.
49. The Full Authority retains total responsibility for governance, taking all decisions unless specifically delegated to a Committee and enshrined in its terms of reference.
50. The key statutory decisions which the Authority takes are to:
- a. Set a rolling Strategy covering a minimum of three years
 - b. Set an annual Railways Policing Plan
 - c. Set the budget of expected income and expenditure for policing the railways each year
 - d. Approve the Annual Statement of Accounts
 - e. Approve the annual PSA charges
 - f. Approve the internal audit strategy

Meetings

51. The Authority will meet at least six times a year. The Chair of the Authority may convene additional meetings, as they deem necessary. The quorum of Authority meetings is half of all Members plus one.

Membership

52. The membership will be all members of the Authority²⁴. Executive Team and Force colleagues will join as agreed with the Chair.

Audit and Risk Assurance Committee

Purpose

53. This statutory committee supports the Authority and Accounting Officer by reviewing the comprehensiveness and reliability of assurances on governance, risk management, the control environment and the integrity of financial statements.

Reporting

²⁴ Appointed by the Secretary of State in accordance with Schedule 4, Part 1, Paragraph 1.

54. The Audit and Risk Assurance Committee will submit minutes of its meetings to the Full Authority.
55. The Audit and Risk Assurance Committee will perform an annual assessment of their performance, timed to input into the Governance Statement, summarising the work it has done during the year in relation to its Terms of Reference and Annual Work Plan.

Responsibilities

56. The Audit and Risk Assurance Committee will advise the Authority and Accounting Officer on:
 - a. the strategic processes for risk, control and governance and the Governance Statement;
 - b. the accounting policies, the accounts, and the annual report, including the process for review of the accounts prior to submission for audit, levels of error identified, and management's letter of representation to the external auditors;
 - c. production and approval of the Management Assurance Return (MAR)
 - d. organisational oversight of Functional Standards.
 - e. the planned activity, results of both internal and external audit and HMICFRS;
 - f. adequacy of management's response to issues identified by audit activity, including external audit's management letter;
 - g. assurances relating to the corporate governance requirements for the organisation;
 - h. anti-fraud, bribery and corruption and whistleblowing processes and arrangements for investigations
 - i. monitor and assess compliance with and performance against statutory duties
 - j. Assurances related to financial reporting, including understanding significant changes to accounting policies
 - k. Assurances over the ethical standards, professionalism, integrity and conduct of employees
 - l. Assurances over data, systems and information
57. The Audit and Risk Assurance Committee may:
 - a. Approve the annual external audit plan
 - b. Approve the internal audit plan
 - c. Approve the HMICFRS Inspection plan
 - d. Review and approve minor amendments to the strategic risk register, risk appetite and other risk documents as set by the Full Authority and propose significant amendments (e.g. additional & emerging risks) to the Full Authority for approval.

Milestones

58. In line with the annual work plan,
- a. Annual report and Accounts, including the Governance Statement and audit opinions, to the June meeting
 - b. Management Assurance Return to the March meeting
 - c. Data assurance statement
 - d. At least one strategic risk deep dive

Access

59. The Head of Internal Audit and the representative from the external audit will have free and confidential access to the Chair of the Audit and Risk Committee.

Meetings

60. The Audit and Risk Assurance Committee will meet at least 4 times a year. The Chair of the Committee may convene additional meetings, as they deem necessary.
61. The Authority or Accounting Officer may ask the Audit and Risk Assurance Committee to convene further meetings to discuss particular issues on which they want the Committee's advice.

Chair and Deputy Chair

62. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Full Authority.

Quorum

63. Half of committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

64. The membership of this Committee will be up to six members of the Authority. Executive Team and Force colleagues will join as agreed with the Chair.

Appointments, Remuneration and Appraisal Committee

Purpose

65. To make BTP Chief Officer Group and other senior appointments within the BTPA Executive, to oversee that effective succession planning arrangements are in place, in line with the BTPA's statutory responsibilities and to review and approve remuneration recommendations made by the Authority's People and Culture Committee.

Reporting

66. The Appointments, Remuneration and Appraisal Committee will submit minutes of its meetings to the Full Authority.

Responsibilities

67. Orderly succession of senior appointments both within the BTPA Executive and the BTP Chief Officer team, in order to maintain an appropriate balance of skills and experience;
68. Acting on behalf of the Authority and seeking Secretary of State approval where required, make the appointment of BTP Chief Officers and the Chief Executive and Chief Financial Officer. This includes approval of recruitment processes, remuneration packages and contracts of employment;
69. Acting on behalf of the Authority, working with the Chief Constable, to agree Chief Officer secondments to and from BTP and temporary promotions expected to last beyond 6 months;
70. To consider and approve packages on termination for employees of Chief Officer rank and in respect of senior positions in the BTPA Executive. This includes discretionary awards and payments, discretionary pension enhancements and ex gratia payments.
71. To review and approve any recommendations made by the People and Culture Committee in respect of pay awards for the BTP and BTPA officers and staff.
72. To receive and review annual appraisals for BTP Chief Officers and Directors of equivalent rank, and for the BTPA CEO and Treasurer.

Milestones

73. Annual performance and development review in June/July.

Meetings

74. The Appointments, Remuneration and Appraisal Committee will meet at least once a year to consider end of year appraisals and pay recommendations. The Chair of the Committee will convene additional meetings, as they deem necessary.

Chair and Deputy Chair

75. The Chair and Deputy Chair of the Board.

Quorum

76. Half of committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

77. Four Members of the Full Authority.

Scottish Railways Policing Committee

Definition

British Transport Police Authority	BTPA
British Transport Police	BTP
Police Service of Scotland	PSoS
Scottish Police Authority	SPA

Background

The British Transport Police Authority (BTPA) has been specified as a cross-border public authority in Section 46 of the Scotland Act 2016.

The Scottish Railways Policing Committee is established as a sub-committee of the BTPA under paragraph 12(b) of Schedule 4 of the Railways and Transport Safety Act 2003. The Committee will provide

- Accountability and transparency for railway policing in Scotland
- Oversight and scrutiny of the safe and effective management and delivery of railway policing in Scotland
- An appropriate mechanism to assess and report to the BTPA in respect of value for money in relation to those elements of the BTPA Fund invested in railway policing in Scotland.

The Committee will operate in accordance with the Memorandum of Understanding agreed between the SPA and BTPA dated 27 June 2019 and as may be subsequently amended.

Purpose and scope

78. The committee will provide oversight of the development of plans and policies, scrutinising policing performance against agreed plans and statutory requirements, and ensuring agreed improvements recommended by external inspections and reviews are implemented.
79. The Committee provide assurance to the BTPA, SPA and Scottish Ministers on the delivery of railway policing in Scotland.
80. In performing its functions, the Committee will have regard to the UK-wide police priorities and set and reviewed by the BTPA, and police priorities set and reviewed by the Scottish Government.
81. These terms of reference have been agreed by the BTPA and SPA and are endorsed by UK and Scottish Ministers.
82. A copy of these Terms of Reference has been laid before each House of Parliament and the Scottish Parliament.

Responsibilities

83. To keep under review the delivery in Scotland of the BTP Strategic Policing Plan, Police

Service Agreements and other documentary agreements relating wholly or mainly to Scotland and report progress, including concerns and observations, to the BTPA Board.

84. To recommend to the BTPA Board the Scottish Railways Policing Plan (hereinafter referred to as the plan), ensuring due regard has been taken to policing priorities set by the Scottish Government, strategic plan set by the SPA and Police Scotland, Police Scotland's annual policing plan and that effective consultation has informed the development of the Plan.
85. To scrutinise progress and performance against the plan and to recommend to the full Authority any improvement required.
86. To scrutinise BTP's public and stakeholder engagement work
87. To consider the effectiveness of interoperability between BTP and Police Scotland and recommend any improvements to the full Authority and the SPA.
88. To make recommendations and provide oversight on performance standards of railway policing in Scotland taking cognisance of stakeholder engagement and make recommendations to the full Authority on any changes required.
89. To provide visibility and oversight of the funding as it applies to rail provider(s) operating in Scotland, with a view to achieving best value and to recommend any changes to the BTPA Board.
90. In carrying out its functions, to take into account relevant data and research available in relation to policing, including independent evidence and benchmarking information from across the UK and internationally.
91. To review recommendations from the Government Internal Audit Agency, Her Majesty's Inspectorate of Constabulary in Scotland and other organisations with an inspection, audit or evaluation remit in relation to railway policing in Scotland and ensure that action is taken within the agreed timescales, subject to BTPA approval.

Meetings

92. The Scottish Railways Policing Committee will meet quarterly, Meetings are to be scheduled to coincide with the BTPA annual planning cycle. Prior to the beginning of each calendar year, a provisional schedule of meetings will be approved by the BTPA Board and published on its website. Notice of meetings will be advertised on both the BTPA and the SPA websites. The Chair of the Committee may vary meetings, as deemed necessary.
93. Meetings will usually be held in Scotland. Public meetings will be in venues that are accessible to all people.
94. All meetings of the Committee are open to be observed by members of the public and media, with the exception of meetings or parts of meetings where business is to be conducted in private. The circumstances in which meetings may be held in private include where:
 - a. Information relating to identified or identifiable individuals (including members of staff) could be disclosed where there is no consent for disclosure and/or where there is a risk of harm to any individual from the disclosure;

- b. Public discussion of the information may prejudice any police operation or the prosecution of offenders;
- c. Disclosure of information could prejudice national security;
- d. Matters to be discussed are the subject of legal proceedings (including misconduct or disciplinary proceedings) or where information to be discussed consists of or includes legal advice provided to either Authority or to a third party;
- e. An obligation of confidentiality exists in respect of the information to be discussed;
- f. Confidential, commercial or financial information not already in the public domain could be disclosed;
- g. Proposals for significant organisational change, significant changes to the terms and conditions of staff or other sensitive matters are being considered;
- h. Discussion in public would be likely to inhibit free and frank provision of advice or the free and frank exchange of views for the purpose of deliberation;
- i. Other, exceptional, circumstances exist that would justify considering the matter in private, such circumstances to be agreed by the Committee and included in the minute of the meeting.

Stakeholder Engagement

The Committee will scrutinise BTPs public and stakeholder engagement work in Scotland.

The Committee welcomes engagement with the Rail Delivery Group (RDG), rail provider(s) in Scotland and with Transport Scotland informally and formally to understand their requirements.

The Committee welcomes engagement with academia to collaborate and develop railway policing in Scotland.

Reporting

A forward-looking work plan for the year will be produced by the Committee, describing objectives, actions and proposed outcomes. This will be agreed by the BTPA in consultation, where necessary, with the SPA.

The agenda for each Committee meeting will be circulated at least five days prior to the meeting and will be published on the BTPA and SPA websites, excluding matters to be taken in private as outlined above.

Any member of the Committee may ask for an item to be placed on the agenda of a meeting, this to be done at least 15 days in advance of the meeting. The Chair will consider the request, taking advice from the BTPA Chief Executive as appropriate. If the Chair decides not to include the item on the agenda, the member will be advised and the Committee informed during the Chair's opening remarks.

A draft rolling action log will be available no later than five calendar days after each meeting. Draft minutes will be available to the Committee Chair no later than 14 calendar days after the meeting. Once agreed with the Committee Chair, draft minutes will be circulated to all Board Members of the BTPA and SPA noting they are still subject to formal approval at the next Committee meeting.

A summary report will be provided by the secretariat to the Chief Executives of each authority after each Committee meeting. This will be used as the basis for reporting to the BTPA and SPA Boards.

Committee members and BTP representatives may be required to provide evidence to Scottish Parliament Committees.

Membership and Attendees

95. the Committee will comprise the Chair (“the Committee Chair” and no more than four other Board Members. The Chair will be the Scotland member for the BTPA or such other member of the BTPA as nominated by the Chair of the BTPA. The Chair of the BTPA will consult and obtain approval by Scottish Ministers prior to appointing the Committee Chair.
96. The Committee will include up to two co-opted members from the SPA and up to two members from the BTPA. The Chair of each Authority will be responsible for the nomination of Committee members, and Committee members will be agreed by respective Boards.
97. The quorum of the Committee will be three Members including the Chair and must include at least one member from the SPA and at least one member from the BTPA.
98. All members including the Chair will have voting rights. In the event of a split decision, the Chair will have a casting vote.
99. Members of BTPA and SPA staff and BTP and Police Scotland representatives may be invited to attend Committee meetings. The Chairs of each Authority and Chief Executives have standing invitations to attend meetings. Any other Board Member may attend after consultation with the Committee Chair.
100. The Committee Chair may invite representatives from external stakeholders or partner organisations for consideration of specific agenda items or subject areas.

Secretariat

101. the BTPA will provide secretariat support to the Committee. the Chief Executive of the BTPA will ensure that appropriate support, data and advice are provided to the Committee, and will consult as necessary with the Chief Executive of the SPA.
102. The Secretariat will be responsible for all arrangements associated with supporting meetings, other than venues for meetings which will be provided by the SPA.

Governance

103. the Committee, as a sub-Committee of the BTPA, will comply with the BTPA’s Code of Governance in all relevant aspects.

Effectiveness and Evaluation

104. The Committee will review progress against the workplan for the year.
105. The Committee will be open to external evaluation of its work and the extent to which accountability is enhanced for railway policing in Scotland, and against the design principles²⁵ and in accordance with the BTPA’s legislative framework.

²⁵ [\[ARCHIVED CONTENT\] \(nrscotland.gov.uk\)](#)

106. Any changes to these terms of reference or to the operation of the Committee will be made only by mutual agreement between the BTPA and SPA.
107. The operation and effectiveness of the committee will be kept under review. It is recognised that this is an administrative arrangement, and as such the committee will consider if further changes could enhance or support its role on an ongoing basis.
108. A Memorandum of Understanding will be agreed between the BTPA and the SPA to support the work and ethos of the Committee.

Dispute Resolution and Mediation

109. Where members are unable to reach agreement on an issue, the dispute will in the first instance be raised for discussion with the BTPA. The Chair of the BTPA will consult the Chair of the SPA as necessary. If required, mediation options will be explored by the BTPA. If disagreement between both Authorities persists, escalation of disputes can be made to relevant sponsor teams in Government and to Ministers.

Strategy and Planning Committee

Purpose

110. This Committee's role is to ensure an integrated approach to the development of the Medium-Term Financial Plan (MTFP), Strategic Plan, Policing Plan(s) and annual budget. The Committee is also responsible for advising the Full Authority on the Cost Allocation Model and Police Services Agreements.

Reporting

111. The Strategy and Planning Committee will submit minutes of its meetings to the Full Authority.

Responsibilities

112. To produce a draft Strategy and Medium-Term Financial Plan for consideration by the Full Authority
113. To set out the desired culture and behaviours in alignment with the Strategy
114. To consider relevant perspectives in the forthcoming macro-environment in which the Authority operates ('horizon scanning') including political, economic, socio-cultural, technological, environmental, legal and ethical perspectives; and making recommendations to peer Committees and/or the Full Authority.
115. To monitor progress against Strategic Plan objectives, including delivery of transformation activity, benefits and efficiencies.
116. To oversee development of strategies subordinate to the Strategic Plan, except those that fall within the remit of another Committee.
117. To prepare the Policing Plan(s) in line with the Strategy and stakeholder

requirements

118. Advising on the preparation of the annual budget
119. To ensure effective consultation with stakeholders in the preparation of the Strategy, MTFP/budget, and Policing Plan.
120. Reviewing the annual Police Service Agreement (PSA) charges and providing the Authority and Accounting Officer with an Annual Report, timed to support finalisation of the annual Police Service Agreement (PSA) charges, summarising and explaining any significant movements for individual PSA holders understanding the reasons for any significant movements.
121. Scrutinising capital and major revenue schemes prior to their submission to the Full Authority, in line with the Scheme of Delegation.
122. Examining post completion reports for all capital and major revenue schemes approved by the Authority in accordance with the scheme of delegation.
123. To ensure all Strategies and Plans that do not fall within the remit of another Committee, and major revenue and capital schemes, include equality impact assessments.
124. Oversight of British Transport Police Authority and British Transport Police sustainability and net zero responsibilities.
125. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Milestones

126. The Committee will recommend a Strategic Plan to the Full Authority approval no less than every three years.
127. The Committee will recommend the Annual Budget and Medium-Term Financial Plan(s) to the December meeting of the Full Authority for approval.
128. The Committee will recommend Policing Plan(s) to the March meeting of the Full Authority for approval.
129. The Committee will provide an annual report to the Full Authority regarding Police Service Agreement charges.

Meetings

130. The Strategy and Planning Committee will meet at least quarterly ahead of Authority meetings. The Chair of the Committee may convene additional meetings, as they deem necessary.

Chair and Deputy Chair

131. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Board.

Quorum

132. Half of Committee membership (where overall membership is an odd number, the quorum figure is rounded up e.g. membership of five = quorum of three.)

Membership

133. Up to six Members of the Full Authority.

People and Culture Committee

Purpose

134. On behalf of the Authority, oversee and appraise BTP's approach towards people, culture, leadership and behaviours.

Reporting

135. The People and Culture Committee will submit minutes of its meetings to the Full Authority.

Responsibilities

136. To seek assurances that the organisational culture of British Transport Police is both legitimate to, and representative of, the communities it serves.
137. To seek assurance on the strategic direction of the overall People Strategy and the policies designed to achieve it. Including advice on the effective management of the key risks BTP is seeking to manage in the context of realising its People Strategy.
138. To seek assurance on the strategic direction of the Reward Strategy, ensuring that it remains effective at attracting and retaining a high-quality workforce which is also affordable.
139. To review annual pay claims for officers and staff taking account of how these fit with the wider Reward Strategy and to recommend any pay awards for approval by the Appointments, Remuneration and Appraisal Committee.
140. To oversee and scrutinise on behalf of the Full Authority, issues relating to all pension schemes and valuations supported by or relevant to the British Transport Police Authority and the British Transport Police Fund.
141. To consider and approve all changes to terms and conditions that fall under the Police

Regulations 2003 and all departures from the Police Regulations, including changes made to the Police Regulations that the organisation chooses not to adopt.

142. To encourage innovation with respect to employment matters whilst satisfying itself as the legal employer of police staff and officers, of compliance with relevant employment legislation;
143. To receive advice from and provide support to the Director of People and Culture in relation to matters of Authority interest and provide a forum for input, discussion and feedback on contemporary people practice;
144. To scrutinise annual All People Survey outcomes and delivery of any associated Action Plans.
145. To scrutinise BTP's key performance indicators with regard to agreed strategic People objectives, including but not limited to recruitment, retention, progression, training and management of attendance.
146. To have oversight of Force leadership training, talent development, and behaviours.
147. To have oversight of legitimacy with respect to the representation, inclusion and diversity of BTP's workforce;
148. To have oversight of the implementation of the Wellbeing, Health and Safety Strategy and policy compliance; including review of an annual assurance report; reporting by exception, including but not restricted to, resourcing, availability of competent advice, risk assessments, and training; and quarterly trend/statistical reporting on wellbeing, health and safety;
149. To consider reputational, cultural and financial implications of professionalism matters reported by exception, including from the perspective of a public lens. This may include high profile complaints, appeals/reviews, grievances, employment tribunals and civil claim cases.
150. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Milestones

151. Annual Staff & Officer pay award recommendations.
152. Annual Wellbeing, Health and Safety Report for recommendation to Full Authority.
153. Annual Gender and Ethnicity Pay Gap Reports.
154. Annual Complaint Reviews Report.

Meetings

155. The People and Culture Committee will meet at least four times a year. The Chair of the

Committee may convene additional meetings, as they deem necessary.

Chair and Deputy Chair

156. The Chair, Deputy Chair and members of the Committee shall be appointed by the Chair of the Authority.

Quorum

157. Half of the committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

158. Up to six Members of the Full Authority.

Finance, Legitimacy and Performance Committee

Purpose

159. This Committee holds the Force to account for its operational and business performance and delivery of its current annual plans by aligning review and challenge of financial inputs with that of operational outputs.

Reporting

160. The Finance, Legitimacy and Performance Committee will submit minutes of its meetings to the Full Authority.

Responsibilities

161. Assessing financial reports, including performance against annual and medium-term financial plans and ensuring the effective review by the Authority of financial performance
162. Assessing progress against delivery and spend on capital projects and major revenue schemes approved by the Authority in accordance with the scheme of delegation
163. To assess and provide supportive challenge on BTP's operational and organisational performance and efficiency against criteria which are defined in the rolling strategic plan and Policing Plan(s) refreshed annually to include operational and organisational, KPIs and outputs from external inspections.
164. To have oversight of 'Legitimacy' with respect to BTP's use of its policing powers and service delivery,
165. To have oversight of other business as usual operational indicators such as the use of Stop and Search and use of force

166. Oversee BTP compliance with legislative requirements and guidance with respect to referral of cases to the IOPC, complaint and conduct handling and custody facilities.
167. Request and consider information from BTP, BTPA, stakeholders and other sources to support scrutiny activities in terms of internal and external comparison and benchmarking of performance
168. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Meetings

169. The Finance, Legitimacy and Performance Committee will meet at least quarterly ahead of Authority meetings. The Chair of the Committee may convene additional meetings as they deem necessary.

Chair and Deputy Chair

170. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Board.

Quorum

171. Half of Committee membership (where overall membership is an odd number, the quorum figure is rounded up e.g. membership of five = quorum of three.)

Membership

172. Up to six Members of the Full Authority

Working Groups

173. Working groups may be established as and when required in-year. The terms of reference for these groups shall be subject to approval by the full Authority. The Authority will review its working groups annually as part of its Board Effectiveness Evaluation.

174.

The Role of the Chair

175. The role of committee chair involves:
 - a. facilitating meetings;
 - b. ensuring adherence to the comply or explain principle; and
 - c. ensuring that the Committee obtains and considers all appropriate information.

Member Portfolios

176. All Authority Members shall have the opportunity to assume responsibility for a

portfolio. Portfolios may range from alignment with a BTP sub-division or chief officer to a specific policing theme. The purpose of portfolios is to provide Members with a forum within which they can have general oversight of the wide range of BTP's operational and organisational activities.

The Authority's Business Cycle

177. The Authority has agreed an annual business cycle for its work to help it ensure that it maintains focus on key work streams in a timely and efficient way.

Consultation

178. The Authority shall develop a consultation plan which will be aligned with that of the Chief Constable to discharge its duties and functions under section 62 of the 2003 Act.

179. In discharging its duties and functions the Authority is required to consult those listed in section 62(1) of the Act, basing its decisions on:

- a. the requirements of passengers and staff and other rail users in relation to personal security and policing
- b. the professional advice from the Chief Constable
- c. the commercial and operational challenges of the rail and train operating companies and their priorities for policing;

180. With this knowledge, as an independent body, the Authority then makes its own judgements about how to secure an efficient and effective police force which it reflects in its Strategy, Policing Plan and budget decisions.

Managerial and Financial Framework

181. The Authority has established the BTPF²⁶ into which all monies received shall be paid²⁷. The Authority retains overall responsibility for all strategically important issues affecting the direction and finances of the Authority with the support of the Strategy and Planning Committee.

Responsibilities of Chief Executive & Chief Constable: Financial

182. As Accounting Officer and Additional Accounting Officer respectively the Chief Executive and Chief Constable must be able to assure Parliament and the public of high standards of probity in the management of the BTPF. The Chief Executive as Accounting Officer must also sign the:

- Accounts
- Annual Report
- Governance Statement

183. The Chief Executive assigned to the Chief Constable responsibilities relating to all expenditure and activities by BTP within the agreed budget and specific revenue or capital

²⁶ Schedule 4, Part 3, s16-18

²⁷ Schedule 4, Part 3, s29

projects as defined in the Scheme of Delegation. The Chief Executive's responsibilities relate to the income for the Authority and BTP and the expenditure of the Authority's own budget. The only exception being where income is received from third parties for specific projects, this will be approached as if it were a contract with responsibility for the income dependent on the value of the project in accordance with the scheme of financial delegation.

184. The responsibilities of the Chief Constable and Chief Executive are to be interpreted broadly. In summary they include but are not limited to, ensuring that they discharge their responsibilities efficiently and effectively in accordance with the Authority's Strategy and plans. The responsibilities are described in the Accounting Officer and Additional Accounting Officer Memorandums which can be found at Annex 3.
185. The Authority is to comply with the Delegated Expenditure Limits set by the Department for Transport²⁸. The Chief Executive as Accounting Officer is responsible for ensuring these are included in the Authority's Scheme of Delegation²⁹.
186. The Authority must also consult the Chief Constable each financial year before setting a budget.

Responsibilities of Chief Financial Officer: Financial

187. The Chief Financial Officer is the Treasurer and has the responsibility for ensuring the proper management of the BTPF.
188. The Authority must also consult the Treasurer each financial year before setting a budget.

Responsibilities of Force Director of Finance and Commercial Services: Financial

189. The Force's Director of Finance and Commercial Services (or, where that position is vacant, the Chief Constable's nominee) is to work closely with the Authority's Finance Director to ensure that the BTPF is properly administered and financial regulations are observed and kept up to date.

Responsibilities of Chief Executive & Chief Constable: Managerial

190. The Authority is responsible for the recruitment, retention, development and motivation of its directly appointed staff including the Chief Constable, Chief Executive and the Chief Financial Officer. The Authority and Chief Constable are jointly responsible for the recruitment, retention, development and motivation of the Deputy Chief Constable, Assistant Chief Constables, and their staff equivalents. The Authority delegates these responsibilities to the Chief Constable for all others under her/his direction and control.
191. The Authority requires the Chief Executive and Chief Constable, in their respective areas of responsibility, to ensure that:
- a. the rules for recruitment and management of staff create an inclusive culture in

²⁸ See annual Delegated Expenditure Limit letter

²⁹ See Scheme of Financial Delegation at Annex 4

which diversity is fully valued; appointment and advancement is based on merit: there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;

- b. the level and structure of staffing, including grading and number of staff, shall be appropriate to the functions and the requirements of efficiency, effectiveness and economy;
- c. the performance of staff at all levels is satisfactorily appraised and the performance measurement systems are reviewed from time to time;
- d. staff shall be encouraged to acquire the appropriate professional, management and other expertise necessary to achieve the Authority's objectives;
- e. adequate grievance and disciplinary procedures are in place;
- f. reporting of wrongdoing and whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place;
- g. proper consultation with staff and their elected representatives takes place on key issues affecting them;
- h. appropriate arrangements are in place for compliance with legislative requirements with respect to staff under the Chief Executive and Chief Constable's respective direction and control;
- i. a code of conduct for staff is in place based on The College of Policing's Code of Ethics; and
- j. the collective pay and grading structure, and terms and conditions of service (including pensions) as determined by the Authority, are approved where necessary by the Department for Transport and/or the Treasury.

192. The Authority retains the power of decision with respect to pay and terms and conditions of service for officers and staff. In accordance with Section 46 of the 2003 Act, for police officers there shall be a Conference to which all questions of rates of pay, hours of duty and conditions of service of transport police shall be referred. The Conference will be chaired by the Chief Executive and will usually be held annually. These decisions will be recorded in Regulations made under section 36 to 40.

Responsibilities of Authority Chief Financial Officer: Managerial

193. As Treasurer of the BTPF, the Authority Chief Financial Officer is responsible for the proper processes and controls in place for the management of money.

Medium Term Financial Forecast and Budget

194. The Authority shall determine and maintain a medium-term financial forecast. This will set out its expectations and intentions in relation to the gross revenue income to the

BTPF and expenditure for the next five years³⁰.

195. Not later than the end of March in any year for the forthcoming financial year, the Authority will:
- a. set for the forthcoming year a gross revenue budget for Authority including all sources of income to the BTPF;
 - b. agree the gross expenditure budget for the Authority;
 - c. determine the charges to be paid by PSA holders;
 - d. agree a three year capital expenditure programme; and
 - e. agree the delegated expenditure limit with the DfT.
196. The Authority may hold reserves to be applied towards expenses relating to a future period, in accordance with the Authority's policy on reserves. The Authority reserves the right to amend the policy as required.
197. The Chief Executive and the Chief Constable will be individually and collectively responsible and accountable for ensuring that all expenditure whether against the revenue budget or the capital programme is properly authorised and accounted for and that no expenditure or commitments are entered into unless authorised within the rules laid down in this governance code or by decision of the Authority.
198. During the course of the financial year the Chief Executive and Chief Constable will report to the Authority at least quarterly on expenditure against the budget and the capital programme, highlighting any variances from the planned phased expenditure and proposing and seeking authorisation for the treatment of such variances.
199. Virement thresholds are detailed in the Scheme of Financial Delegations (Annex 4) and the detailed conditions can be found in Annex 1 (Financial Management). Virement will not be possible in respect of expenditure for which specific government funding has been granted. Where a Virement would mean a change to DfT control budgets (RDEL, CDEL or AME) this would need to be submitted to DfT for authorisation and recognised through the Supplementary Estimates. Where a breakdown under the capital budget has been provided to DfT, any change to this breakdown but still remaining within the capital budget should be communicated to DfT first to ensure they are content. Virements between CDEL and RDEL, even if remaining within the control totals, will need to come to the Authority. Income should sit where the income has an appropriate relationship to expenditure and any virement proposal to another expenditure line will need to come to the Authority and potentially DfT.
200. The Chief Executive may arrange with the Chief Constable for any or all of his financial functions to be fulfilled by the financial staff under the Chief Constable's direction and control. In doing so formal but straightforward agreements are to be drawn up to ensure that all responsibilities and service levels are clearly defined and agreed (Annex 3 Accounting Officer Memorandums and Principles for Engagement).

Collaboration

201. The 2011 Police Reform and Social Responsibility Act amended sections 22A to 23I of the Police Act 1996, which relate to police collaboration arrangements. These

³⁰ RTSA 2003 Schedule 4, Part 3, Paragraph 20(a)

arrangements apply to the Authority and BTP.

202. The amendments introduced new legal duties for police forces and authorities to;
- a. Work together (and with policing partners) to keep collaboration opportunities under review
 - b. Collaborate where it is the interests of efficiency and effectiveness of their own, or another, force
203. The Authority has the overriding authority to determine questions of efficiency and effectiveness and must approve relevant collaboration agreements. Any collaboration agreements are to be made with the Chief Constable and Authority jointly³¹.
204. The Authority must be included in consultation and discussion at the development/formative stage of any proposed collaboration; similarly the Chief Constable must be consulted by other forces/authorities if collaboration proposals potentially affect officers/staff under his direction and control.
205. Chief officers party to a collaborative agreement must each agree that the collaboration is in the interests of at least one of the other parties. This benefit need not be to their own force/police body.
206. The Authority and the relevant local policing body must also agree that the collaboration is in the interests of at least one of the other parties. Again, this benefit need not be to their own force/police body.
207. In reviewing collaboration opportunities forces and police bodies should take into account:
- a. Whether the issue is a 'special demand' (when they should use mutual aid legislation instead)
 - b. The likely impact of the proposals on the efficiency or effectiveness of their own or another force/body
 - c. Whether the proposals relate to discharging the functions of (or by) a police force
 - d. How costs/benefits will be shared between parties and arrangements for making/receiving any related payments
 - e. Arrangements for collaborative procurement should be set out in an agreement – this should also take into account EU rules on police procurement – legal advice may be advisable on this aspect
 - f. Any existing agreements which may be affected/superseded
 - g. Whether external (non-police) parties are involved (covered by other legislation)
 - h. Processes by which variations to, and exits from, agreements must be agreed by all parties
208. Any refusal to be a party to a collaboration agreement must be reasonable and be articulated. There is currently no statutory right of appeal against a refusal to enter a collaborative agreement.

³¹ Police Act 1996 s22a(3) which specifically covers BTP and the Authority by virtue of s231(3)

Capital and Major Revenue Schemes

209. The regulations governing capital and major revenue schemes are detailed in the Financial Regulations FR3 (Annex 1). Thresholds as set down in the scheme of financial delegation (Annex 4) shall apply to the approval of schemes and variations to schemes.

Procurement

210. The Force's Director of Finance and Commercial Services (or, where that position is vacant, the Chief Constable's nominee) will establish and maintain Regulations governing the acquisition of goods and services from third parties. These will be agreed first by the Chief Constable and then by the Chief Executive and will be mandatory.
211. The Authority requires that these regulations conform to best practice as promulgated by the Office of Government Commerce and/or Chartered Institute of Purchasing and Supply. They must enable the Authority to ensure value for money in all its purchases and contracts and at the same time ensure that goods and services provided by third parties are of the required standard and quality. It is imperative that the process of purchasing and contracting is itself efficient, effective and supportive of business needs.

Scheme of managerial delegations

212. The Chief Constable is authorised to take any action or make a decision associated with the day to day running of the Force and the furtherance of the strategies, policies and objectives of the Authority so long as all such actions or decisions:
- a. have regard to such strategies policies and objectives and, insofar as they incur expenditure, are within the Authority's budget or capital programme as appropriate;
 - b. do not create new or change existing policies that have been agreed by the Authority; and
 - c. are also authorised within the scheme of delegation being within the limits of the financial authority delegated to him.
213. The Chief Executive is authorised to manage and direct the work of the Authority in accordance with its Strategy, plans, budgets and policies. Specifically, the Chief Executive is authorised to take any action or make a decision associated with the day to day running of the Authority and the furtherance of its strategies, policies and objectives so long as all such actions or decisions:
- a. have regard to with such strategies, policies and objectives and insofar as they incur expenditure are within the Authority's budget or capital programme as appropriate;
 - b. do not create new or change existing policies that have been agreed by the Authority; and
 - c. are also authorised within the scheme of delegation as within the limits of the financial authority delegated to him.

214. The Chief Constable and Chief Executive may delegate their responsibilities to

members of their staff but in doing so they retain ultimate accountability for any decisions taken. In the absence of the Chief Constable her/his duties and responsibilities may be exercised by the Deputy Chief Constable. In the absence of the Chief Executive his duties and responsibilities may be exercised by the Authority Finance Director as Deputy Chief Executive.

215. In acting within these delegations, the Chief Constable and Chief Executive and others acting on their behalf should always consult and keep the Chair fully informed on all matters likely to be of concern to Members of the Authority.

Scheme of Financial Delegations

216. The intention behind this scheme is to ensure the proper and timely conduct of the Authority's business. The decisions authorised under this scheme will be final decisions to proceed and they will commit the Authority.
217. The scheme assumes that through the budget and capital programme and related policies a framework has been created within which individual projects are authorised and progressed. Some of these projects will be of such value or strategic importance that the Authority decides not to delegate authority.
218. Generally, projects having been included and authorised in the capital programme or budget, can be finally authorised under delegated authority and it is these that this scheme is primarily concerned with. It is recognised that projects funded by third parties, or from a commutation of revenue to capital, may be authorised in addition to those that were included in the capital scheme, in accordance with the scheme of financial delegation virement thresholds.
219. Emergencies of varying kinds, particularly with an operational force like BTP, may arise from time to time that could not have been foreseen. The scheme gives the Chief Constable authority to incur expenditure in such circumstances. To regularise the position the Chief Constable shall consult the Chair and Chief Executive as Accounting Officer before or very soon after such a decision.
220. The scheme can be found at Annex 4 and it should be noted that all financial amounts are inclusive of VAT.

Police Service Agreements and Charging

221. The Authority has the power to enter into PSAs and enhanced PSAs (EPSAs) with railway operators, and owners of railway property who, in connection with which, provide railway services³².
222. The Authority must aim to ensure that the amount of contribution to the BTPF made by each customer in a financial year approximately reflects the nature and extent of the functions likely to be undertaken in that year in accordance with the customer's PSA³³. This is achieved through the use of a charging model, which combines carefully selected data sources to defray the expenses in accordance with this requirement. The Governance Statement for charges to PSA Holders sets out and formalises the governance

³² Section 33

³³ Section 33(4)(b)

arrangements that apply to the calculation and allocation of costs to PSA holders, both for the statutory policing function and the enhanced police services.

223. The Medium-Term Financial Forecast satisfies the requirement of the Authority to estimate the likely ratio of customer contributions to the BTPF before and in relation to each consecutive period of five financial years³⁴.

Pensions

224. The Authority has the power to vary the terms of the pension schemes operated for the police officers and staff. The Authority may, with the consent of the Secretary of State, arrange for the establishment of a new pension scheme for the benefit of officers or staff.
225. The Authority will scrutinise and monitor all major decisions regarding the investments of the current defined benefit pension schemes.
226. The Authority will review the triennial valuations for all current defined benefit pension schemes and ensure that prudent assumptions are made in line with actuarial advice. It will ensure that appropriate measures are taken in order to satisfy the regulations set out by both the pensions Regulators and the Trustees of the Railways Pension scheme.
227. The Authority will establish a separate governance process to ensure it meet its duties relating to the Ground Personal Pension Plan (GPPP) scheme.

Risk Management and Controls

Risk Management

228. The Chief Constable and the Chief Executive will agree a multi-year risk strategy to the Audit and Risk Assurance Committee for approval. The strategy should be reviewed on an annual basis to ensure it remains relevant. A Joint Strategic Risk Register which identifies, evaluates and describes mitigation and management measures in relation to all the key internal and external strategic risks to the Authority and Force listed will be maintained. At least annually, Members should review the identification of strategic risks, risk appetite, scoring, and the adequacy of action plans. Operational risk registers should also be maintained with structures in place for risks to escalate and de-escalate throughout the risk hierarchy.
229. The Strategic Risk Register will be reported and discussed quarterly at the Audit Committee before any significant matters and recommendations are taken to the Full Authority. Once a year, the Authority will review the full risk register, risk appetite and organisation-wide risk documents then delegate these to ARAC for approval. Internal Audit will separately advise the Chief Executive and Chief Constable as Accounting Officers and the Audit and Risk Assurance Committee of their opinion on the accuracy and sufficiency of the registers and the efficacy of the proposed mitigation and management measures.
230. Risk profiles will be provided to all Authority Committees and Working Groups to

³⁴ Schedule 4, Part 3, Section 20

guide Members to consider the highest strategic risks and underlying risk drivers.

231. An escalation mechanism for remitting governmental risks to the DfT is included in the Framework Document.

External Audit and Governance Statement

232. The Authority shall ensure that arrangements are in place for the Comptroller and Auditor General to receive a copy of the financial accounts for the BTPF for each financial year as soon as reasonably practicable after the end of each year to examine, certify, report on and lay before both Houses of Parliament³⁵.
233. Having received assurance from the Chief Constable, as the Additional Accounting Officer, in accordance with their responsibilities under the Scheme of Delegation, the Chief Executive as Accounting Officer is to confirm the adequacy of all internal control systems and report on the same to the Comptroller and Auditor General. This Governance Statement will be prepared in accordance with Treasury and NAO guidance and will be reported to the Audit and Risk Assurance Committee.

Management Assurance Return (MAR)

234. The MAR was developed by the DfT in 2009-10 following the consolidation of whole government accounts. This tool is used by DfT to gain assurance from all of its arms' length bodies, on specific issues of internal governance and internal control.
235. The Authority is required to submit a MAR in accordance with the DfT timetable each year. The MAR is reviewed by the internal auditors, Audit and Risk Assurance Committee and Chief Constable as Additional Accounting Officer. Following assurance from each of the above named parties the MAR is signed by the Chief Executive as Accounting Officer.

Functional Standards

236. Functional standards were introduced in 2021 as a suite of management standards and associated documentation to provide direction and advice for bring together and clarify what needs to be done, and why, for different types of functional work. They are mandated for use in departments and their arm's length bodies through [Managing Public Money \(DAO letter\)](#).
237. The Authority and Force should work together to assess each applicable function against the relevant functional standard and have a plan in place to comply with each standard in a way that meets its business needs and priorities. Progress on these assessments and plans are reported to the Audit and Risk Assurance Committee.

Internal Audit

238. The Authority is required to make arrangements for internal audit under the

³⁵ Schedule 4, Part 3, 17-17A

framework agreement with the DfT. The Internal Audit arrangements are fulfilled by the DfT internal audit team.

Information Management

239. In accordance with Annex 4, both the Authority and Force must ensure that they are compliant with the relevant legislation in this area, e.g. the Freedom of Information and Data Protection Acts, but also the Government Information Assurance Standards and Security Policy Framework. Annual assurance reports on information management compliance shall be provided by BTP to the Audit and Risk Assurance Committee.

His Majesty's Inspectorate of Constabulary, Fire and Rescue Services

240. BTP may be inspected by HMICFRS either through agreement with the HMICFRS or on the request of the Secretary of State³⁶. Inspection reports are received and reviewed by the Audit and Risk Assurance Committee with progress against action plans delegated from the Audit and Risk Assurance Committee to the relevant committee of the Authority.
241. As the legal employer of the officers and staff under the direction and control of the Chief Constable, the Authority is legally responsible for ensuring, so far as reasonably practicable, the health, safety and welfare at work of these individuals³⁷. The day-to-day health and safety responsibility for officers and staff under the direction and control of the Chief Constable is delegated to the Chief Constable. Compliance is reported to, and assessed by, the People and Culture Committee.

Monitoring and Review Arrangements

Board Effectiveness

242. The Full Authority follows Cabinet Office Guidance for Board Effectiveness Reviews to a three-year cycle. During the three-year cycle, the Full Authority will review each of the 15 areas of focus recommended in guidance and adopt an annual action plan to address identified areas for improvement. The Full Authority is committed to securing an externally facilitated board effectiveness review in year three of the cycle. The current Board Effectiveness Review Cycle runs from 2024/26.
243. The Full Authority will provide its annual board effectiveness review and action plan to the Department for Transport Sponsor Team.
244. Each Committee and Working Group of the Full Authority is welcome to review its terms of reference on an annual basis when considering its workplan for the following year.

Review of the Code

245. The Code is a living document and may be updated in-year with proposed updates presented to the Authority for approval prior to inclusion. It shall be subject to a formal

³⁶ Section 63

³⁷ Section 2(1) Health and Safety at Work Act 1974 c.37

review at the Authority meeting each year following the completion of the Board Effectiveness Evaluation.

Document Owner
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Revision History

Revision date	Version	Summary of changes	Author
16 April 2010	0.1	Substantial rework from original governance handbook and reviewed by auditors	P. Coen
5 May 2011	1.0	Final version prepared	L. Barrick
17 November 2011	1.1	Updated following changes to Terms of reference and staffing changes at BTP SCT	L. Barrick
18 January 2012	2.0	Updated to reflect changes in terms of reference and staffing	L. Barrick
11 October 2012	2.1	Biennial Review changes	L. Yasin
15 March 2013	2.2-2.7 2.8 3.0	Draft of revised document Significantly revised version following annual review	L. Yasin
22 February 2017	3.1 – 3.8	Significant overhaul following Governance Review Project. Finance sections reviewed by S. Nasim.	L. Yasin/S. Nasim
01 March 2017	4.0	Final updates following final GRWG meeting	L. Yasin/S. Nasim
March 2019	5.0	Review	Head of Governance & Compliance
November 2019	6.0	Added new Cabinet Office Code of Conduct for Board Members and terms of reference for Scottish Railways Policing Committee and other minor revisions	Head of Governance and Compliance
June 2021	7.0	Refresh of language within Code and amendment to Committee terms of references.	Head of Governance and Compliance / Board Secretary
September 2021	8.0	Addition of Appointments, Remuneration and Appraisal Committee; addition of People and Culture Committee; and removal of Appointments and Remuneration Committee.	Board Secretary
June 2022	9.0	Annual refresh of Full Authority / Committee terms of references and Annex 5 (Procedural Standing Orders)	Head of Governance and Compliance / Board Secretary
June 2023	10.0	Annual refresh of Full Authority / Committee terms of references and Annex 5 (Procedural Standing Orders) / Update of Annexes 4, 6 and 7	Head of Governance and Compliance / Board Secretary

March 2024	10.1	Name change of Performance and Delivery Committee to Finance, Legitimacy and Performance Committee (effective from 30 January 2024)	Board Secretary
June 2024	11	Number of drafting changes and removal of annexes summarised in Annual Refresh 2024 paper approved at Full Authority 25 June 2024.	Board Secretary
October 2024	11.1	Wording amended to remove reference to budget transfers and clarify where authority lies in approving virements – see Item 8.2 on Full Authority 1 October 2024 agenda. Elsewhere, wording on decisions in correspondence amended to facilitate greater decision making in correspondence for routine matters – see Item 11 on Full Authority 1 October 2024 agenda.	Board Secretary
June 2025	12	Annual refresh, including approval in principle of changes to Scheme of Financial Delegation in areas of acceptance of income, and thresholds for civil claims compensation payments.	Board Secretary
December 2025	12.1	Further changes to Scheme of Financial Delegation to ensure it was compliant with the DfT Delegation Letter to BTPA Chief Executive, and HMT <i>Managing Public Money</i> . Moreover, sundry changes approved to respond to recommendations made following GIAA internal audit.	Board Secretary

Annexes

- Annex 1: Financial Management
- Annex 2: Procedural Standing Orders
- Annex 3: Principles for Engagement
- Annex 4: Scheme of Financial Delegations